

Attorney Docket No.: FMCE-P078

Remarks

Reconsideration of the above-identified application is respectfully requested.

The undersigned would like to thank the Examiner for the courtesy of the telephone interview on March 24, 2004. During the telephone interview, the undersigned proposed amending claim 1 as set forth above, that is, to require that the container be *directly* supported by the debris cap and that the debris cap be *directly* supported by the xmas tree or the wellhead. The Examiner indicated that, while this amendment may make claim 1 patentable over the Logan patent, he would need to reconsider this issue once the amendment is formally submitted.

Claims 1 and 7 stand rejected under 35 U.S.C. 102(b) as being anticipated by Logan (U.S. Patent No. 3,063,500). Applicants submit that claim 1 is now patentable over Logan since Logan does not disclose a container which is directly supported by a debris cap or a debris cap which is directly supported on a tree. Although the Examiner asserts that Logan discloses a container in the form of an unnumbered container which inherently supplies a protective oil to the connection 25 before it reaches the casing 1, this container is not shown to be directly supported by the casing 1. Furthermore, although the Examiner asserts that the casing 1 is supported on the tree 7 through the grout 16, the casing is clearly not directly supported on the tree.

Therefore, claim 1 is not anticipated by Logan. Furthermore, since claim 7 depends from claim 1, claim 7 cannot be anticipated by Logan.

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The Examiner has indicated that claims 2-6, 8 and 9 would be allowed if they are rewritten in independent form to include all the limitations of their base and intervening claims. These claims have accordingly been rewritten as new independent claims 10-15. In this regard, claims 2, 3, 6, 8 and 9 have been rewritten as new claims 10, 11, 13, 14 and 15, respectively, and claims 4 and 5 have been rewritten as new claim 12.

In light of the foregoing, claims 1-15 are submitted as allowable.

Favorable action is solicited.

Respectfully submitted,



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